

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

JOHN R. TOMLINSON, :
 :
 Plaintiff, :
 :
 v. : Case No. 2:09-cv-0125
 :
 DIRECTOR TERRY COLLINS, : Judge Holschuh
 et al., :
 :
 Defendants.

ORDER

On April 26, 2010, a Report and Recommendation was filed recommending that the motion to dismiss filed by defendant Dr. Siddiqi be denied, and that plaintiff be granted a twenty-eight day extension of time to effect service on Dr. Siddiqi. The parties were advised of their right to object to the Report and Recommendation within fourteen days. No objections have been filed. Therefore, the Court ADOPTS the Report and Recommendation (#38). The motion to dismiss Defendant Siddiqi (#31) is DENIED. Plaintiff shall effect service on that defendant within twenty-eight days of this order, or his claims against that defendant will be dismissed without prejudice pursuant to Fed.R.Civ.P. 4(m).

IT IS SO ORDERED.

Date: May 24, 2010

/s/ John D. Holschuh
John D. Holschuh, Judge
United States District Court